



Donations and Gifts

PURPOSE:

To provide information on regulatory guidance governing acceptance and/or declination of donation/gift offers to the Army.



Types

~~Solicited~~

Unsolicited

SOLICIT —————→

- To petition
- To approach with request or plea
- To urge strongly
- To entice or lure
- To proposition
- To try to obtain by usually urgent request or pleas
- To set a price
- To seek money or goods and services
- To seek information
- To seek opinions

Army does not
solicit gifts or
donations no
matter how it is
defined

UNSOLICITED —————→

Army may accept
based on
evaluation criteria
and need



General Guidelines

Advise - Conditions under which a donation can be accepted

Obtain Offer in Writing – (i.e., who, what, when, where, why and how)

Coordinate – Legal office, CFSC, IMA Region, etc as appropriate

ADVISE - Donor pays Mailing, No Cost to Government, Disclaimers

OFFER IN WRITING -

Company/Organization information

Description of donation/items being offered

Number of each dollars/item

Estimated monetary value

Instructions on what you want Army to do with the donation (i.e., distribute to troop units, Morale Welfare and Recreation, hospitals, etc)

Distribution Period (i.e., one time, every month for the next year, etc).

Packaging information

Shipping information (generally shipped at donors expense)

Acknowledgement on requirement to use disclaimer “No U.S. Army endorsement of the supplier, product, or service is implied or intended.”

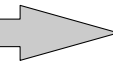
Identification of any restrictions or conditions placed on the donations



General Guidelines (cont)

Evaluate
Review/endorsement
Special privileges
Recognition

Specific Guidelines/Approval



REASONS TO ACCEPT

- Supports the military and/or the NAFI
- Goodwill
- Offer is needed
- No restrictions on the donation
- Complies with intent of governing regulations

REASONS TO TURN DOWN...DONER SEEKS

- Brand recognition and loyalty
- Advertisements on installations, radio/TV recognition, and event programs
- Publicity
- Merchandising opportunities
- Visibility
- Army or NAF funded transportation (cost factors)

CAUTION – Look behind the scenes what is going on. What does the offer really entail. Only 95% actually come through



To MWR (AR215-1, Para 7-39)

Legal review/approval

Acceptance authority

Accountability (cash, goods, services)

MWR (AR215-1, Para 7-39) Gifts of real or personal property or of a monetary value may be accepted when voluntary offered by individuals or groups, if it is determined that it is in the best interest of the Army.

REVIEW:

Evaluate offer (Can MWR meet specific terms if conditional)

Review/endorsement (Garrison CDR)

Grant no special privileges or recognition

Approval:

(DMWR \$15K, Garrison CDR \$50K, IMA Regional Directors \$100K, CFSC \$250K and Secretary of the Army over \$250K)

CASH

- Payment by check to respective agency and issuance of DA 1992
- Deposit in appropriate GLAC
- Execute/spend IAW conditions or based on need of fund/program

Goods

- Delivery of items to installation services divisions at offeror expense preferred. Evaluate value vs cost on determination
- Services division redistributes items and ensure property accountability

SERVICE

- *Services (i.e., something MWR would have to pay for or perform themselves)*



To Individuals/Soldier (AR 1-101)

CASH

- Decline, cannot be accepted
- Refer offeror to Army Emergency Relief or American Red Cross

GOODS & SERVICES

- Acceptance/delegated authority
- Key considerations

To Individuals/Military Personnel (AR 1-101) Defines a gift as an offer of goods by individuals or organizations for distribution to Army personnel for personal use

ACCEPTANCE AUTHORITY – MACOM CDRS, the Superintendent of the US Military Academy and the heads of HQDA staff agencies with command jurisdiction over subordinate commanders may accept gifts under AR1-101.

DELEGATED AUTHORITY – Commanders with acceptance authority may further delegate this authority to subordinate commanders.

KEY CONSIDERATIONS

Offer must be limited to items that promote health, comfort convenience and morale (i.e., reading materials, writing paper, etc)

No cost to the government can be involved

Compliance with key provisions (i.e., Advertising marked on items does not discredit the services, soldiers will not be redistributing the product, no public announcement of gift will be made and no special concessions or privileges granted).



Donations and Gifts



To Individuals/Soldier (OEF/OIF)

- Army Central Command (ARCENT) is delegated authority by CDR FORSCOM to approve and accept gifts to individuals
- Point of contact is Lewis Ingol 404-464-2945 or 4145 or Staff SGT Christopher Mason 404-464-4724
- Refer to <http://www.army.mil/operations/iraq/faq.html>

To Army (AR1-100)

CASH - Monetary donations and gifts must be deposited to the U.S. Treasury

GOODS & SERVICES - May be accepted with approval from local legal advisor up to \$1K. If over, Department of Army is approval authority.

Office of the Administrative Assistant Secretary of the
Army Administers the Army Gift Program

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7 of 11

16 August 07

To Special Categories (OIF/OEF) Non MWR, but commercial products offered as single items (i.e., phone cards, magazines, cell phones, beverage products, air conditioners, T-shirts, computers, sun screen, etc.

To Army (AR1-100) A contribution, donation of real or personal property (i.e., conditional gift - money or other intangible property with specific limitations; or real property offered on conditions. unconditional - money or real or personal property with no limitation on its ownership or use), generally limited to under \$1K.

Anything over \$1K is generally considered conditional. Regulation has processes and systems in place to target the gift for the conditions under which it was accepted.

This is not an MWR function, but we must be aware of the limitations of all the programs so we can direct appropriately.



Donations and Gifts



To All Others

Wounded Warrior (JER)

http://www.defenselink.mil/dodgc/defense_ethics/ethics_regulation/Chg_6_Gifts.doc

Family Members

<http://www.fisherhouse.org> or <http://www.americasupportsyou.mil>

Private Organizations (AR210-22)

Military Relief Society

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8 of 11

16 August 07

To Wounded Warrior (Joint Ethics Regulation, Additional Guidance Pending) Allows members of the Armed Forces on active duty and their family members to accept unsolicited gifts from non-Federal entities.

Restrictions - Members must have incurred a combat-related disability or an illness or injury in a combat operation or zone, while on active duty on or after September 11, 2001. Authority is retroactive to September 11, 2001.

Limitations

Does not apply to gifts from foreign governments (5 U.S.C. 7342)

Does not apply to gifts in violation of 18 U.S.C. 201 or 209, or to solicited gifts

For gifts valued in excess of "minimal value" (currently \$305) per occasion or in excess of \$1000 in a calendar year, an ethics official must also make a written determination

Family Members - No official military program exists. Refer offerors to military Chaplain's office or Army Community Service office.

If support for families whose loved ones are being treated at military and VA hospitals refer to the Fisher House at <http://www.fisherhouse.org>

To Private Organization (AR210-22) Governs PO's on Army Installations. POs are to be self-sustaining, primarily through dues, contributions/donations, service charges, fees or special assessment of members

Private Organization (PO) can accept donations. If conditions are associated with the donation, coordination with the installation SJA is recommended before accepting

No special privileges, concessions or recognition allowed for the offeror on installations to include redistribution of advertising materials, etc.

To Military Relief Society = Referrals



Donations and Gifts



Referrals

- Army Outreach <http://www4.army.mil/outreach/support/>
- America Supports You <http://www.americasupportsyou.mil>
- My Army Life, Too <http://www.myarmylifetoo.com>
- Red Cross <http://www.redcross.org>
- Army Emergency Relief <http://www.aerhq.org>
- Air Force Aid Society at <http://www.afas.org/>
- Commissary Gift Certificates
<http://www.commissaries.com/certifichack/index.cfm>
- Gifts from the Home front <http://www.aafes.com/docs/homefront.htm>
- Help Our Troops Call Home <https://thor.aafes.com/scs/default.aspx>
- Navy Marine Corps Relief Society <http://www.nmcra.org/index.html>
- Operation Uplink of the VFW <http://www.operationuplink.org/>
- Donate to "Operation USO Care Package" <http://www.usocares.org>
- Volunteer at a VA Hospital <http://www.va.gov/vetsday/>
- Walter Reed Society <http://www.wramc.amedd.army.mil/wrsociety/index.cfm>
- Wounded Warriors <http://www.woundedwarriors.org/>
- Yellow Ribbon America.com <http://www.yellowribbonamerica.org/>
- Veterans Affairs <http://www1.va.gov/directory/guide/home.asp?isFlash>



Donations and Gifts



Situations (What would you do...why?)

1. Private organization offers to donate a scoreboard for the on-base field with the condition that they be allowed to sell ad space on the board.
2. CDR advises with a 24 hour notice that he expects you to find a donor that can provide \$1K for a farewell event.
3. Local companies offer cash donations to your installation MWR. One each for \$10K, \$45K and \$273K.
4. National company makes offer to provide items for distribution to soldiers in OEF/OIF.
5. Gift offer received for seven vacation packages (\$1200 each) and seven new computer systems (\$900 each).
6. Gift offer of 1000 (\$25 each) sports/hot-line calling cards for local distribution.
7. Individual visits your office. Advises that he represents seven companies and each would like to make a \$10K donation to MWR. States that he hopes it will foster friendship through joint golf outings and on-base activities.

CAUTIONS

What might they really want in exchange for the donation (post passes, golf passes, etc).

Sell only my products, etc...buy only my products, etc.



Donations and Gifts



Quick Reference Guide

TO	References Program	General Guidelines	Specific Guidelines	Approval Authority	Cash	Goods	Services
MWR	(AR215-1) MWR/NAFI		1 - Monetary donations must be deposited to the NAFI. 2 - If goods, items should be sent to services division. 3 - If services, must be something MWR would have to pay for or perform themselves.	DMWR \$15K, Garrison CDR \$50K, IMA RD \$100K, CFSC \$250K and Sec Army over \$250K	Yes	Yes	Yes
S O L D I E R 's A R M Y	(AR 1-101) Gifts to Individuals	1 - Receive written offer. 2 - Evaluate offer (Can terms be met). 3 - Coordinate. 4 - Review and obtain endorsement from appropriate authority.	1 - Offer limited to items that promote health, comfort, and morale. 2 - No cost to the government involved. 3 - Advertising on items does not discredit the service and soldiers will not be redistributing.	MACOM CDRS, Superintendent of the Military Academy and heads of HQDA staff agencies with command jurisdiction over subordinate commanders may accept or further delegate.	No	Yes	Yes
	(AR 1-100) Gifts to Army	5 - Grant no special privileges or recognition.	1 - Monetary donations and gifts must be deposited to the U.S. treasury. 2 - Goods and services accepted with approval from local legal adviser up to \$1K.	Local SJA up to \$1K. Anything over \$1K Department of Army Adjutant General.	Yes	Yes	Yes
	OIF/OEF		Refer Offeror to ARCENT: LTC Annie Dear, e-mail Annie.Dear@arcent.army.mil, phone 404-464-1650 or Staff SGT Christopher Mason, e-mail Christopher.Mason4@arcent.army.mil, phone 404-464-4724, http://www.army.mil/operations/iraq/faq.html	Army Central Command (ARCENT) is delegated authority by CDR FORSCOM to approve and accept.	No	Yes	Yes
	(Joint Ethics) Wounded Warrior	Members of the Armed Forces on active duty and family members may accept unsolicited gifts from non-federal entities	Members must have incurred a combat related disability or illness in a combat zone, while on active duty after Sep 11 01.	For gifts in excess of minimal value (\$305) per occasion or in excess of \$1K per calendar year, an ethics official must make a written determination.	Yes	Yes	Yes
O T H E R	Family Members	Provide referral to military relief. No Official "Army" program exists unless applicable under wounded warrior.	N/A	N/A	N/A	N/A	
	Private Organizations	Managed between donor and potential recipients.	Conditional gifts involving the government are prohibited.	N/A	Yes	Yes	Yes
			Army Outreach http://www4.army.mil/outreach/support/ America Supports You http://www.americasupportsyou.mil My Army Life, Too http://www.myarmylife.com Red Cross http://www.redcross.org Army Emergency Relief http://www.aerhq.org Air Force Aid Society at http://www.afas.org/ Commissary Gift Certificates http://www.commissaries.com/certificate/index.cfm Gifts from the Home front http://www.aafes.com/docs/homefront.htm Help Our Troops Call Home https://thor.aafes.com/scs/default.aspx Navy Marine Corps Relief Society http://www.nmcrrs.org/index.html Operation Uplink of the VFW http://www.operationuplink.org/ Donate to "Operation USO Care Package" http://www.usocares.org Volunteer at a VA Hospital http://www.va.gov/vetsday/				
	Military Relief	Provide Referral			N/A	N/A	N/A

Three Key Criteria: Donor pays Mailing, No Cost to Government, Disclaimers